

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

\*

**PLAINTIFF,**

\*

**CV-05-1086-WKW-DRB**

**VS.**

\*

\*

**EIGHTY THOUSAND SIX HUNDRED  
THIRTY-THREE DOLLARS  
(\$80,633.00) IN UNITED STATES CURRENCY;  
FOUR THOUSAND EIGHT HUNDRED  
SEVENTY-EIGHT DOLLARS (\$4,878.00)  
IN UNITED STATES CURRENCY; AND  
THIRTY-SIX THOUSAND  
FIVE HUNDRED DOLLARS (\$36,500)  
IN UNITED STATES CURRENCY**

\*

\*

\*

\*

**DEFENDANTS.**

\*

**MOTION TO GRANT DEFENDANT'S/CLAIMANT'S MOTION TO SUPPRESS  
OR IN THE ALTERNATIVE SET HEARING ON MOTION TO SUPPRESS**

Come now the claimants of the defendant U.S. currency, Michael Coleman and Jacquard Merritt, and hereby move this Honorable Court to grant their motion to suppress on the merits as filed or in the alternative set a hearing on their motion to suppress. As grounds for such motion, the claimants submit the following:

1. The claimants filed a motion to suppress on 3/16/2006, Doc. #29.
2. This Honorable Court ordered the plaintiff to show cause as to why the claimant's motion should not be granted on 4/05/2006, Doc. #34.
3. The plaintiff answered the Court's show cause order on 4/19.2006, Doc.#38.

4. Claimants aver that the plaintiff's response did not show adequate cause, under the law, why their motion to suppress should not be granted. Plaintiffs merely supplied facts which they believe support their contention that there was probable cause to commence a forfeiture proceeding, as opposed to justifying the seizures of Coleman and Merritt and the subsequent searches of their effects under the Fourth Amendment.

Wherefore, premises considered, the claimants pray that this Honorable Court grant the claimants' motion.

Respectfully Submitted,

/s/ Joe M. Reed  
Joe M. Reed

Address of Counsel:  
Faulk & Reed, LLP  
524 S. Union St.  
Montgomery, AL 36104  
(334) 834-2000 t  
(334) 834-2088 f  
**joemreed@bellsouth.net**

**CERTIFICATE OF SERVICE**

I herby certify that the following was served on

The Honorable John T. Harmon,  
United States Attorney for the Middle District of Alabama,  
1 Court Square  
Montgomery, Alabama 36104

By electronic notification, courtesy of the Clerk of the United States District Court,  
Middle District of Alabama.

/s/ Joe M. Reed  
Joe M. Reed